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May 24, 2011

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**APPROVAL OF ORDINANCE AMENDMENTS TO THE COUNTY  
CODE  
(ALL DISTRICTS)  
(3 VOTES)**

**SUBJECT**

Request approval to amend ordinances to County Code, Title 7, Business Licenses, Chapters 7.14 and 7.16, to allow the Department of Health Services' Emergency Medical Services Agency to improve public health and safety through the provision of enhanced medical control and oversight of medical transportation services operators that operate throughout Los Angeles County. The amended ordinances introduce increased fees for new and renewed ground ambulance and ambulette operator licenses, new fees for licensing of Emergency Medical Service aircraft operators and aircraft, and the requirement that all private ground ambulance operators and Emergency Medical Services aircraft operators be licensed by Los Angeles County in order to operate within the County.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Approve and adopt the attached ordinance change (Exhibit I) to County Code Title 7, Business Licenses, Chapter 7.14, License Fees, to reflect fee increases for new and renewed ground ambulance and ambulette operator licenses and new license fees for private Emergency Medical Services (EMS) aircraft operators and aircraft, as listed in Attachment A.
2. Approve and adopt the attached ordinance change (Exhibit II) to County Code Title 7, Business Licenses, Chapter 7.16, Ambulances, that (i) amends various provisions to require all

private ground ambulance operators to be licensed by the County of Los Angeles (County) in order to operate within the County; (ii) adds provisions to require all private EMS aircraft operators to be County-licensed in order to operate within the County; and (iii) makes other changes to this Chapter to improve the licensing and regulation of ambulance services.

### **PURPOSE/JUSTIFICATION OF THE RECOMMENDED ACTIONS**

The Department of Health Services' (DHS) EMS Agency indicates that there is little to no medical oversight of ambulance companies that are not currently licensed by the County. The recommended Ordinance amendments are necessary to improve public health and safety by creating a more-integrated EMS System, one that requires all ambulance operators to follow standard EMS policies. Operators will also be required to understand hospital capabilities and their role and responsibilities as part of the EMS System during a disaster or multiple casualty incidents.

Approval of the first recommendation will amend the County Code to increase the initial and annual renewal business license fees for ground ambulance and ambulette operators. The recommended license fee increases are necessary to support the County's ambulance and ambulette operator licensing program, which has evolved considerably since the current fees were set in 1995. The proposed fees are based on the actual cost of resources necessary to perform the licensing functions. DHS' EMS Agency worked with the Department of Auditor-Controller to validate the different components included in the computation of the proposed fees.

The fee for the initial license is a one-time fee, only applicable to new licensing applicants. This initial fee is higher than the annual renewal fee because the review and approval process of initial license applications requires significant time and resources, including the cost of providing a court reporter for hearings by the Ambulance Licensing Board. To minimize the impact of this change on providers, the vehicle license fees for ground ambulances will not increase (Attachment A).

The County Code currently does not provide the authority for the licensing of private EMS aircraft operators, therefore a fee was never established for this function. This action will allow the County to implement licensing fees for private EMS aircraft operators and aircraft. These new fees will help the County recoup its cost for licensing these operators.

Approval of the second recommendation will amend the County Code to mandate that all private ambulance providers and EMS aircraft operators operating within the County obtain a County business license. Currently, private ground ambulances providing Basic Life Support service and EMS aircraft companies operating within 78 of the 88 incorporated cities are not required to be licensed by the County and, therefore, are not subject to DHS medical oversight.



The proposed ordinance will improve oversight of patient care by ambulance providers and EMS aircraft operators, improving the health, welfare, and safety of the residents of and visitors to the County. Under the ordinance, the EMS Agency will have the ability to monitor the operations of all ambulance providers for appropriate staff, staff training, medical equipment, and quality of patient care, to improve services for County residents.

This recommended ordinance change also removes the requirement for applicants to show "need and necessity" in their proposed operating area. In addition, the ordinance amendments impose financial penalties upon operators or their personnel for violations of applicable County codes, Prehospital Care Policies, and/or State laws or regulations.

The Small Business Commission and the Los Angeles County Ambulance Association, Incorporated, have expressed their support for the increased medical oversight and enhancement of public safety permitted by the amended Ordinance. In addition, the California Contract Cities Association as well as the City of Carson, have introduced resolutions in support of the Ordinance change.

During the next budget phase, the EMS Agency will request to reallocate three existing vacant budgeted positions to the Ambulance Program Section to provide additional enforcement and oversight and respond to the anticipated increased workload associated with the regulation of all ambulance (ground and air) operators in the County. These positions will ensure timeliness of license processing, compliance with the requirements of the revised ordinance, applicable County Codes, Prehospital Care Policies, and/or applicable State laws or regulations. In addition, the staff will be responsible for conducting investigations into alleged violations of the revised ordinance and making recommendations of financial penalties for infractions.

#### **Implementation of Strategic Plan Goals**

The recommended actions support Goal 4, Health and Mental Health, of the County's Strategic Plan.

#### **FISCAL IMPACT/FINANCING**

The ambulance licensing services require extensive review of various documents such as but not limited to financial reports, insurance, coverage, zoning, medical dispatch policies and procedures, billing and patient confidentiality and security procedures etc. The proposed fees (Attachment A) will cover the cost of processing licensing applications and the additional cost of enforcement of the revised County ordinance requirements. The additional revenues for the licensing of all ambulance providers, regardless of type and level of services, will also offset the supplementary cost associated in providing the necessary monitoring and compliance services by the EMS Agency Ambulance Program section.

Currently, the ground ambulance and ambulette operator and vehicle license fees generate annual revenue of approximately \$249,000. This revenue (87%) is mostly generated from the vehicle fees which are not being increased. Although the proposed operator fees are being significantly increased, annual revenue is projected to increase by only \$294,000 for a total of \$543,000. This additional revenue is based on the estimated increase in existing operators' license renewal fees and the new operators and vehicles' license fees under the revised ordinance

#### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

State law, including the EMS System and the Prehospital Emergency Medical Care Personnel Act ("EMS Act"), found under California Health and Safety Code Section 1797, et. seq., provides the County with the necessary legal authority for the proposed amendments.

The County's State-approved EMS Plan includes the integration of all ambulance and EMS aircraft transportation providers into the EMS System to ensure public safety. This is best accomplished via the local EMS Agency having medical control and oversight of the medical care, quality improvement, and dispatch services of all private ambulance providers operating in Los Angeles County. Effective implementation of the approved EMS Plan will be facilitated by the recommended amendments to the County Code.

A local agency is required to hold a public hearing at which oral or written presentations can be made pursuant to the California Government Code (Government Code), section 66018. The Executive Office of the Board of Supervisors, in accordance with Government Code section 6062 (a), published an official notice of the time and place of said meeting, including a general explanation of the fees to be established or revised.

County Counsel has reviewed and approved Exhibits I and II.

#### **CONTRACTING PROCESS**


Not applicable.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

If approved, the new and amended County Code provisions for the licensing of EMS aircraft and ambulance providers will be enacted thirty (30) days following your Board's approval. At that time, businesses subject to these provisions will have a maximum of six (6) months to apply for an operator license under the amended County Code license requirements.

Respectfully submitted,



 Mitchell H. Katz, M.D.  
Director

MHK:rg

Enclosures (3)

c: Chief Executive Office  
Executive Office, Board of Supervisors  
County Counsel  
Auditor-Controller